

PERETORE & PERETORE, P.C.
110 Park Street
Staten Island, NY 10306
(718) 667-8785
Attorneys for General Electric Capital Corporation

Frank Peretore, Esq.
FP #7020

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/11/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GENERAL ELECTRIC CAPITAL CORPORATION,

Plaintiff,

v.

RURAK OCEAN TOURS, INC., ROYAL TOURS
SERVICE, INC., HIROAKI ONUKI, MICHAEL
COLANGELO, PREMIER COACH, INC., AGIM
LOZOJA,

Defendants.
-----X

Case Number: 08-CV-03378
Judge Sidney H. Stein

ECF CASE

AMENDED
ORDER OF SEIZURE

An application having duly come to be heard on the 19 day of June, 2008 for Order directing seizure of One (1) Van Hool 1992 T840 Motor Coach VIN YE2TA72B7N2020992,

Now upon the reading and filing of plaintiff's application for an Order of Seizure, including the Order to Show Cause dated May 30, the Affidavit of Seth Graff sworn to on the 23th day of May, 2008, and all supporting papers, the summons and complaint, and no opposition having been filed, and the parties appearing by counsel on 6/19/08 in Court, and upon an undertaking in the sum of \$73,400.00, and upon hearing Peretore & Peretore, PC (Fredda Katcoff, Esq. appearing) attorneys for the plaintiff in support of this

application and Ira Meyerowitz, Esq. appearing for the defendants, and the Court having had due deliberation thereupon,

NOW, upon application of Peretore & Peretore, P.C. attorneys for the plaintiff, it is ORDERED, that the motion for an order of seizure in this matter is granted; and it is further;

ORDERED, that the Marshal, upon service upon him/her of a certified copy of this Order and the papers upon which this Order was granted, and the undertaking in the amount of \$73,400.00 which is not less than twice the value of the within chattel, and payment of the proper fees, is directed to seize One (1) Van Hool 1992 T840 Motor Coach VIN YE2TA72B7N2020992 (and for that purpose, if the aforesaid chattel is not delivered to him/her to enter and search for the aforesaid chattel in the place where said chattel is located, upon being furnished with the likely specific location of the chattel to wit, 1150 Longwood Avenue, Bronx, NY 10454 or any enclosed garages or lots thereat) and to hold the chattel pursuant to FRCP 64 and Article 71 of the CPLR; and it is further

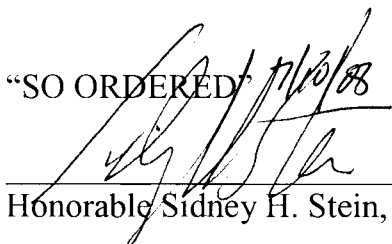
ORDERED that General Electric Capital Corporation, the secured creditor on behalf of whom the order is being issued, is authorized under the supervision and with the assistance of the U.S. Marshal, to take all necessary steps to secure and remove the following property: One (1) Van Hool 1992 T840 Motor Coach VIN YE2TA72B7N2020992, located at 1150 Longwood Avenue, Bronx, NY 10454 including entering and search for said property and placing it with an appropriate storage facility; and it is further

ORDERED that anyone interfering with the execution of this Order is subject to arrest by the United States Marshal and/or his or her representative; and it is further

ORDERED that General Electric Capital Corporation, upon whose behalf the court issues this Order, will account completely for all property seized pursuant to this Order and shall compile a written inventory of all such property and shall provide a copy to the U.S. Marshal, who shall include such a copy with ^bits return to the court; and it is further ^{sls}

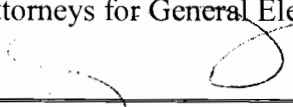
ORDERED that General Electric Capital Corporation, upon whose behalf the court issues this Order, will act as substitute custodian of any and all property seized pursuant to this order and shall hold harmless the U.S. Marshals Service and its employees from any and all claims, asserted in any court or tribunal, arising from any acts, incidents, or occurrences in connection with the seizure and possession of the defendant property, including any third-party claims; and it is further

ORDERED, that the Defendants, their principals, employees, servants, family members and agents be and hereby are stayed from removing said chattel and from concealing transporting, selling or in any way transferring or disposing of the same except in furtherance of this order.

“SO ORDERED” ^{7/10/08}


Honorable Sidney H. Stein, U.S.D.J.

PERETORE & PERETORE, P.C.
110 Park Street
Staten Island, NY 10306
(718) 667-8785
Attorneys for General Electric Capital Corporation



Frank Peretore, Esq.
FP #7020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
GENERAL ELECTRIC CAPITAL CORPORATION,	:	Case Number: 08-CV-03378
	:	Judge Sidney H. Stein
Plaintiff,	:	
	:	ECF CASE
v.	:	
	:	
RURAK OCEAN TOURS, INC., ROYAL TOURS	:	
SERVICE, INC., HIROAKI ONUKI, MICHAEL	:	AFFIDAVIT OF MAILING
COLANGELO, PREMIER COACH, INC., AGIM	:	
LOZOJA,	:	
Defendants.	:	
_____X		

STATE OF NEW JERSEY :
: SS.:
COUNTY OF SUSSEX :

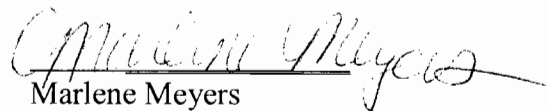
I, Marlene Meyers, am over 18 years of age and am not a party to this action, being duly sworn according to law, SAY:

1. On July 3, 2008, I mailed a copy of the Notice of Settlement, proposed Order, and Affidavit of Mailing, to the attorney for the defendants as follows:

Ira Scot Meyerowitz, Esq.
Law Firm of Ira Scot Meyerowitz
347 Fifth Avenue
Suite 1300
New York, New York 10016

which were deposited into a United States Mail Depository located at 1 Main Street, Unionville,

New York 10988.


Marlene Meyers

Sworn to and subscribed
before me this 3rd day
of July, 2008.



Erin C. Clayton
Notary Public of New Jersey
My Commission Expires 05/16/2011